IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.6344 OF 2005
IN
CRI.APPEAL NO.887 OF 2005

1. Ajit Maruti Desai
2. Sou.Rajashree Maruti Desai ..Applicants

Vs.

State of Maharashtra ..Respondents

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Mr.Shekhar A.Ingawale Advocate for Applicants
Ms.S.V.Gajare A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : SEPT. 30,2005

P.C.

1. Heard both sides.

2. The applicants are seeking bail. The applicants have been convicted under Sections 498-A and 306 r.w. 34 of IPC.

3. In the present case, the complaint has been filed by P.W.5 Vinayak Desai who is the brother of deceased Sunita. This witness has categorically admitted that all the accused had properly treated his sister Sunita and they had not harassed her. He has further admitted that at the instance of

other people, he had lodged report against the accused. He had further admitted that due to suspicion and out of misunderstanding on the say of other people, he had lodged the report against the accused persons. So also P.W.5 Raosaheb Desai who is the uncle of deceased Sunita has not supported the prosecution.

4. In the present case, the body of deceased Sunita was found floating in the river. It has come on record that Sunita was in the habit of sleep-walking. This fact has been admitted by her brother i.e. P.W.5 Vinayak Desai. Looking to the above facts, I am inclined to grant bail.

5. Each of the applicants i.e. Ajit Maruti Desai and Rajashree Maruti Desai to be released on bail in the sum of Rs.20,000/- with one or two sureties to make up that amount.

6. Application is disposed of.

7. Authenticated copy be issued to the parties.

[V.K.TAHILRAMANI,J.]